

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA, et al.

Plaintiffs,

v.

FIRST DATA CORPORATION,

and

CONCORD EFS, INC.,

Defendants.

CASE NUMBER: 1:03CV02169 (RMC)

**[PROPOSED] ORDER GRANTING THE UNITED STATES' MOTION TO EXCLUDE
TESTIMONY OF EDWARD J. HOGAN**

Upon consideration of the United States' Motion to Exclude Testimony of Edward J. Hogan, and good cause having been shown,

IT IS HEREBY ORDERED that the Motion is GRANTED. Paragraphs 8, 9, 10, 11, 18, 19, 20 and 21 are hereby stricken from the Expert Report of Edward J. Hogan, and Mr. Hogan may not provide any testimony at trial concerning (a) whether PIN and signature debit are in the same market; (b) future PIN debit and signature debit rates and whether those rates will converge; or (c) whether Maestro/MasterCard, PULSE, Fiserv, American Express or Discover are significant PIN debit competitors.

IT IS SO ORDERED.

ROSEMARY M. COLLYER
UNITED STATES DISTRICT COURT JUDGE

DATED: December __, 2003

PARTIES TO BE NOTIFIED UPON ENTRY OF ORDER:

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